

EXHIBIT 11

Sex, lies, prison

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For the past six months, I've been staring at a 30-pound box filled with court documents and what's left of a young man's life following one college night and a 5- to 15-second disputed sex act.

That is, 5 to 15 seconds into the act of sexual intercourse, she said, "Stop."

He stopped immediately.

She claimed rape.

Thus, before his 23rd birthday, Rich Gorman of Orlando was locked behind bars in the Liberty Correctional Institute near Tallahassee, serving a five-year sentence for sexual battery.

One minute a junior at **Florida State University** majoring in business/computer systems, the next a prison inmate labeled a sex offender.

I've hesitated to write about the case because all such cases are complex, as we've been reminded the past several weeks by the rape case at **Duke University**. Gorman's case bears little resemblance to the Duke episode, except that both involve youth and alcohol, a toxic combination in the sexual arena of he said/she said.

The moral of Gorman's story, which can't be proved or disproved in this limited space, is that boys and men accused of rape have little hope of reclaiming the life they once knew, regardless of whether they're guilty or innocent.

Any objective person reading through the testimony and depositions from Gorman's case would wonder how he landed in prison.

The "victim," whom we'll call Chastity, contradicted herself and changed her story several times -- all documented in the box at my feet. She was drinking and making out with Gorman earlier in the evening.

She also went willingly into his apartment on the night in question, and this is key. She initially told police that she was pulled struggling from the car and dragged into his apartment, where she was raped. When she was told that parking lot cameras might have captured her going into the apartment, she changed her story, admitted that she wasn't forced, and that she walked voluntarily into the apartment.

My suspension of skepticism ends right there, but there's much more, including a prior rape claim by the "victim" at another college a few years earlier. Same victim, same scenario, except that she recanted in that case,

saying she wasn't sure it was a rape because she was drunk. All the preceding was ruled inadmissible during Gorman's trial thanks to rape shield laws.

Again, I'm unable to do justice to the many questionable details of this case. Instead, let's focus on Gorman's nightmare, and what potentially can happen to any male who has sex with a female in the current sexual climate of virgins and demons.

After the sexual encounter -- that is, after Gorman stopped when Chastity said, "Stop" -- Gorman drove her back to campus and dropped her near her dorm. Chastity immediately called a male friend, who urged her to file a police report. In those next few hours, Rich Gorman's life was being unraveled while he slept.

He awoke to police at the door. Within hours, Gorman was charged with sexual battery and locked up. Within days, he was suspended from his college and his fraternity. Within weeks, his family was devastated, financially strapped, and hell was waiting around the corner.

Gorman went to trial twice in Tallahassee. The first, in February 2005, ended with a hung jury. The second, in June 2005, went so badly for the prosecution that Chastity's lawyers offered Gorman a plea bargain the night before the verdict: 12 months probation, no prison.

But Gorman, his parents and attorneys were so convinced of a not-guilty verdict that they passed on the plea bargain. When the jury issued a guilty verdict, the judge ordered lawyers for both sides to come up with a new plea agreement less than the mandatory 8.9 years.

To his great regret, Gorman signed off on the agreement, which also included waivers prohibiting his seeking any post-conviction relief, including raising claims of ineffective counsel.

Thus, until Gorman is 37 years old, he will be on probation, possibly under curfew, and will have to live under sex offender restrictions until he's at least 47.

Postscript:

Before going to trial, Gorman reconnected with his high-school sweetheart. They have a 9-month-old baby girl and hope to marry under more normal circumstances.

Before going to sleep the same night she allegedly was raped, Chastity spent the night and every night thereafter for several months with the male friend she called that night, according to depositions. Within a week of the alleged rape, she was back out partying with friends.

Two lives, two very different outcomes.

Gorman, a regular college Joe, a good student and a good son, lives behind bars for having sex with a gal he thought was willing.

Chastity, whom I know only through her testimony and depositions, may have been a regular college Jane. But she also had a record of finding herself in situations she later regretted. She also apparently had a drug problem.

In February 2004, a year before Gorman's first trial, her father took her out of school and installed her in rehab for a cocaine addiction, according to the father's deposition. Chastity refused to stay longer than three days.

One life goes on. The other is ruined.

Five seconds -- or 15 -- is all it takes.

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